IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 19TH SEPTEMBER 2007 / 28TH BHADRA 1929

WP(C).No. 27936 of 2007(A)

PETITIONER:

M/S. FENNS THOPPOL TRADERS, AROOR REPRESENTED BY IT'S PROPRIETOR, MR. KURIEN FENN

BY ADV. SMT.K.LATHA

RESPONDENTS:

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1. THE STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY TO THE GOVERNMENT OF KERALA, SECRETARIAT, THIRUVANANTHAPURAM.

2. DEPUTY COMMISSIONER (APPEALS), COMMERCIAL TAXES, ERNAKULAM.

3. COMMERCIAL TAX OFFICER, COMMERCIAL TAX OFFICE, KUTHATHODE.

BY G.P. SRI. SREEKRISHNA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/09/2007 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR,J.

W.P.C. NO. 27936 OF 2007

Dated this the 19th day of September, 2007

JUDGMENT

Since petitioner has filed appeal against sales tax assessment for the year 2003-04, there will be stay against recovery proceedings for recovery of sales tax till disposal of the appeal on petitioner remitting one third of the demand within one month from now. The appellate authority is directed to take up the appeal out of turn and dispose of the same within three months from the date of making payment as above.

W.P. is disposed of as above.

(C.N.RAMACHANDRAN NAIR)
Judge